

## RESOLUTION NO. A-\_\_\_\_\_

## SPECIAL PERMIT NO. 228J

1 WHEREAS, Larry and Gay Nelson have submitted an application designated  
2 as Special Permit No. 228J for authority to amend the Capitol Beach West Community Unit  
3 Plan to reduce the front yard setback from 19.5 feet to 15 feet in order to construct a new  
4 dwelling unit with a garage which projects into the existing front yard setback on property  
5 located at 472 West Lakeshore Drive, and legally described to wit:

6 Lot 41, Block 1, Capitol Beach West, and Lot 196 I.T. located  
7 in the Northeast Quarter of Section 21, Township 10 North,  
8 Range 6 East of the 6th P.M., Lincoln, Lancaster County,  
9 Nebraska;

10 WHEREAS, the real property adjacent to the area included within the site  
11 plan for this dwelling unit with a garage will not be adversely affected; and

12 WHEREAS, said site plan together with the terms and conditions hereinafter  
13 set forth are consistent with the intent and purpose of Title 27 of the Lincoln Municipal  
14 Code to promote the public health, safety, and general welfare.

15 NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of  
16 Lincoln, Nebraska:

17 That the application of Larry and Gay Nelson, hereinafter referred to as  
18 "Permittee", to construct a new dwelling unit with a garage on the property legally  
19 described above, be and the same is hereby granted under the provisions of Section  
20 27.63.320 and Chapter 27.65 of the Lincoln Municipal Code upon condition that  
21 construction and operation of said dwelling unit and garage be in strict compliance with  
22 said application, the site plan, and the following additional express terms, conditions, and  
23 requirements:

1                   1.       This permit approves a reduction in the front yard from 19.5 feet to 15  
2 feet, but not less than 22 feet from garage to curb.

3                   2.       Before receiving building permits, the construction plans must conform  
4 to the approved plans.

5                   3.       Before occupying this dwelling unit all development and construction  
6 must conform to the approved plans.

7                   4.       The site plans approved by this permit shall be the basis for all  
8 interpretations of setbacks, yards, locations of buildings, location of parking and circulation  
9 elements, and similar matters.

10                  6.       The terms, conditions, and requirements of this resolution shall be  
11 binding and obligatory upon the Permittee, its successors, and assigns. The building  
12 official shall report violations to the City Council which may revoke the special permit or  
13 take such other action as may be necessary to gain compliance.

14                  7.       The Permittee shall sign and return the City's letter of acceptance to  
15 the City Clerk within 30 days following approval of the special permit, provided, however,  
16 said 30-day period may be extended up to six months by administrative amendment. The  
17 City Clerk shall file a copy of the resolution approving the special permit and the letter of  
18 acceptance with the Register of Deeds, filing fees therefor to be paid in advance by the  
19 Permittee.

Introduced by:

Approved as to Form & Legality:

\_\_\_\_\_  
City Attorney

Approved this \_\_\_\_ day of \_\_\_\_\_, 2003:

\_\_\_\_\_  
Mayor